

WRIGHT, FINLAY & ZAK, LLP

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Attorney for GREEN TREE LOAN SERVICING LLC

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON (TACOMA)**

JAMES A. BIGELOW

Plaintiff,

vs.

NORTHWEST TRUSTEE SERVICES, INC.;
GREEN TREE SERVICING, LLC; MORTGAGE
ELECTRONIC REGISTRATION SYSTEMS,
INC.; and DOE DEFENDANTS 1-20,

Defendants.

GREEN TREE SERVICING, LLC,

Counter-Plaintiff,

vs.

JAMES A. BIGELOW and CAROLYN
BIGELOW, husband and wife; and ALL
PERSONS OR PARTIES UNKNOWN
CLAIMING ANY RIGHT, TITLE, ESTATE,
LIEN, OR INTEREST IN THE PROPERTY
DESCRIBED IN THE COMPLAINT HEREIN,

Counter-Defendants.

Case No.: 3:14-cv-05798 BHS

**AMENDED AFFIDAVIT OF RENEE
M. PARKER, ESQ. OF FAILURE TO
PLEAD OR OTHERWISE DEFEND IN
SUPPORT OF MOTION FOR ENTRY
OF DEFAULT**

DECLARATION IN SUPPORT OF
MOTION FOR DEFAULT ON
COUNTER-COMPLAINT

WFZ File No.: 229-2013426

Renee M. Parker (SBN 36995)
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1 I, RENEE M. PARKER, declare as follows:

2 1. I am the attorney of record for Counter-Plaintiff GREEN TREE LOAN
3 SERVICING LLC ("GREEN TREE"), have personal knowledge of the facts set forth in this
4 matter, and am authorized to make this Affidavit for and on behalf of GREEN TREE;

5 2. I caused the COUNTERCLAIM AND THIRD-PARTY COMPLAINT FOR
6 JUDICIAL FORECLOSURE ("Counter-Complaint") to be filed on behalf of GREEN TREE on
7 January 8, 2015 as Docket Item No. 26;

8 3. Examination of the court files and records in this case show that defendant James
9 A. Bigelow was served with the Counter-Complaint on January 8, 2015 as evidenced by the
10 CM/ECF Notice attached hereto as Exhibit A;

11 4. Examination of the court files and records in this case show that defendant
12 Carolyn Bigelow was served by personal service with the Counter-Complaint on January 22,
13 2015 as evidenced by the "Proof of Service of Summons" attached hereto as Exhibit B;

14 5. On March 10, 2015 Plaintiff James A. Bigelow notified counsel for Green Tree
15 Servicing LLC that Carolyn Bigelow did not reside at the Subject Property, therefore Green Tree
16 does not seek default against Carolyn Bigelow until her residence of record can be established
17 and, if found to be different from the Subject Property, Carolyn Bigelow will be served with a
18 new Summons and Complaint;

19 6. Examination of the court files and records in this case show that defendant Wells
20 Fargo Bank, N.A. was served by personal service with the Counter-Complaint on January 21,
21 2015 as evidenced by the "Proof of Service of Summons" attached hereto as Exhibit C;

22 7. Examination of the court files and records in this case show that defendant Oak
23 Ridge Yelm Homeowners Association was served with the Counter-Complaint on January 22,
24 2015 as evidenced by the "Proof of Service of Summons" attached hereto as Exhibit D;

25 8. Examination of the court files and records in this case show that then unknown
26 defendants, designated as all occupants of the real property specified in the Counter-Complaint,

27 DECLARATION IN SUPPORT OF
28 MOTION FOR DEFAULT ON
COUNTER-COMPLAINT

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1 were served with the Counter-Complaint on January 22, 2015 as evidenced by the "Proof of
2 Service of Summons" attached hereto as Exhibit E;

3 9. A person purporting to be an occupant of the real property specified in the
4 Counter-Complaint, Timothy Dietz, filed a Notice of Appearance in the case on March 9, 2015
5 as Docket Item No. 50, but occupancy has not yet been verified;

6 10. James A. Bigelow, Wells Fargo Bank, N.A., Oak Ridge Yelm Homeowners
7 Association, Timothy Dietz, and any other party did not file a responsive pleading.

8 I hereby declare under the penalty of perjury under the laws of the State of Washington
9 that the foregoing statement is true and correct.

10 DATED this 10th day of March, 2015, at Newport Beach, CA.

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14 Printed Name: Renee M. Parker

15 Title: Attorney for Green Tree Servicing LLC

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DECLARATION IN SUPPORT OF
MOTION FOR DEFAULT ON
COUNTER-COMPLAINT

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